Appln. No. 10/005,699 Amd. dated July 20, 2005 Reply to Office Action of March 30, 2005

REMARKS

The Examiner's action dated June 30, 2005, has been received, and its contents carefully noted.

In order to advance prosecution, claim 2 has been placed in independent form by incorporation of its subject matter into parent claim 1. Claim 2 has been cancelled, and claims 3-6 have been amended to depend directly from claim 1.

The rejection presented at Section 3 of the Action is traversed for the reason that the system originally defined in claim 2, and now defined in claim 1, is not disclosed in the applied reference. It is noted, in this connection, that the explanation of the rejection of claim 2 makes absolutely no mention of the components originally defined in claim 2.

In specific response to the rejection of claim 2, it is submitted that the applied reference does not disclose a tube, or suction source, as now defined in claim 1.

It is noted that a Request for Withdrawal of the Finality of the Rejection was filed on April 21, 2005, and a written response to that request has not been received. However, even if the finality of the rejection is not withdrawn, it is submitted that the present amendment is clearly enterable since it does nothing more than place an existing claim in independent form. Nor does this amendment alter the scope of claims 3-6.

It is submitted that inasmuch as the reference relied upon to support the rejection of claim 2 does not disclose the features defined in that claim, and no explanation of the basis for the rejection of that claim is

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presented in the last Office Action, claim 1, as amended, should now be considered to be allowable.

It is further noted that dependent claims 5 and 8 have not been formally rejected. Although the rejection presented in Section 5 of that action would appear to be directed to those claims, no claims were specifically identified in the statement of the rejection.

Accordingly, it is submitted that all the pending claims should now be considered allowable over the prior art and it is therefore requested that the prior art rejections be reconsidered and withdrawn, that claims 1 and 3-10 be allowed and that the Application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted, BROWDY AND NEIMARK, P.L.L.C. Attorneys for Applicant

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